Mr. A. V. Moothedan *(Chalakkudi):* There was a proposal to start a Town Council at Chalakkudi. May I take it that it is dropped?

Dr. A. R. Menon *(Minister for Rural Development):* As I said, the whole papers are pending. It is only after preliminary enquiries that we can get the information.

Mr. A. V. Moothedan *(Chalakkudi):* Is the enquiry over?

Dr. A. R. Menon *(Minister for Rural Development):* Yes.

Mr. V. K. Bhaskara Menon *(Cranganur):* What exactly is the purpose of your making a provision of Rs. 3,000 for Town Councils under 'Public Health Contribution'.

Dr. A. R. Menon *(Minister for Rural Development):* To give them grant.

Mr. V. K. Bhaskara Menon *(Cranganur):* To the Town Councils which are already existing or the new ones?

Dr. A. R. Menon *(Minister for Rural Development):* For those already existing.

DEFENCE OF POOR PRISONERS

86. **Mr. C. V. Iyyu** *(Kunnamkulam):* Will Government be pleased to state.—

(*a*) whether Government have noted in the leaderette published on the editorial page of the "Mail", dated 7th May 1941 about the proposal of the Madras Government on the recommendation of Diwan Bahadur Gobi Narayana Chetty to make provision for defence of poor prisoners as was done in Britain;

(*b*) whether our Government be pleased to undertake and give effect to such a legislation in our State?

Mr. P. V. Raphael *(Joint Secretary to Government):*

(*a*) Yes.

(*b*) No. In the case of murder cases there is provision for employment of counsel in Sessions Courts. The extension of this provision to all cases will lead to additional expenditure. Further, a major portion of the undefended cases relate to petty-thefts. There are ample facilities for defence in our State, and defence here is not after all costly. Moreover, it cannot at all be stated that any sort of injustice results by not providing for counsel to poor accused persons. The expectation that the number of people

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going to Jail will decrease in case legal aid is supplied to poor prisoners at Government expense seems hardly justifiable. In these circumstances, it is not desirable to venture on legislation in this matter now.

Mr. A. V. Moothedan *(Chalakkudi):* Is it not the aim of criminal law that no innocent person should be punished?

Mr. M. Sivarama Menon *(Advocate-General):* Certainly.

Mr. A. V. Moothedan *(Chalakkudi):* Suppose an innocent man is charged for theft and he has no money to engage an advocate?

Mr. M. Sivarama Menon *(Advocate-General):* The Court will guard the interests of justice because the evidence is before the court, and there have been cases in which the accused were undefended but the court passed orders of acquittal.

Mr. K. Kochukunhan Kaimal *(Vadakkancheri):* Has the Madras Government accepted the recommendation?

Mr. M. Sivarama Menon *(Advocate-General):* No.

Mr. A. V. Moothedan *(Chalakkudi):* It is said: "defence here is not after all costly". Is it true?

Mr. M. Sivarama Menon *(Advocate-General):* That statement is only of comparative significance.

PALLIVASAL SCHEME—PARTICULARS OF

87. Mr. T. A. Ramachandra Ayyar *(Nellayi):* Will Government be pleased to state.—

(*a*) whether there is any proposal to purchase electric energy from Pallivasal;

(*b*) if so, on what terms;

(*c*) is there any proposal to give the distributing agency of the energy so purchased to any Company or Firm;

(*d*) if so, on what terms?

Mr. P. V. Raphael *(Joint Secretary to Government):*

(*a*) Yes.

(*b*), (*c*), (*d*) The matter is only under negotiation and no information can be given at this stage.

Mr. T. A. Ramachandra Ayyar *(Nellayi):* Since three lakhs of rupees are provided in the budget cannot the Government at least now give the information wanted?

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